

1652
RECEIVED
JUL 18 2003
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Andrew Kloeck et al.
Serial No. : 10/060,848
Filed : January 30, 2002
Title : NEMATODE MDH-LIKE SEQUENCES

Art Unit : 1652
Examiner : Y. Pak

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT


Responsive to the action mailed June 13, 2003, applicant elects the invention of Group I, claims 1-4 and 9, drawn to polypeptides related to SEQ ID NO:3, with traverse.

Applicants request that Groups I and II be considered together. The claims in Group II (claims 5-9) are drawn to polypeptides related to SEQ ID NO:4. SEQ ID NO:3 and SEQ ID NO:4 are both encoded by M. incognita genes and are greater than 98% identical. Search and examination of the claims will be more efficient if Groups I and II are considered together.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 14 July 2003


Anita L. Meiklejohn, Ph.D.
Reg. No. 35,283

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

20689208.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit July 14, 2003Signature Carrie A. AmonteTyped or Printed Name of Person Signing Certificate Carrie A. Amonte